IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 7TH DECEMBER 2006 / 16TH AGRAHAYANA 1928

Bail Appl..No. 7236 of 2006()

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CMP.4893/2006 of J.M.F.C.,THIRUVALLA
CR NO.11/2006 OF MALLAPPALLY EXCISE RANGE

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PETITIONER/ACCUSED :

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MOHANAKURUP, AGED 42 YEARS,
S/O.BHASKARAKURUP, MUNDUKANDAMKOLEDATHU VEEDU,
KANNAMTHANAM VILLAGE, MLLAPPALLY.

BY ADV. SRI.P.GOPAKUMARAN NAIR
SRI.C.S.DIAS
SRI.AJITH MURALI

RESPONDENT: COMPLAINANT:

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STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**V. RAMKUMAR, J.**

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**Bail Application NO.7236 of 2006**

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**1. Dated this the 7th day of December, 2006.**

**O R D E R**

In this Petition filed under Sec. 439 Cr.P.C. the petitioner who is is the sole accused in C.R. No.11 of 2006 of Mallappally Excise Range for offences punishable under Sec. 8(1)(2) of the Abkari Act for having been found in possession of 5.5 liters of illicit arrack, seeks his enlargement on bail.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner. Accordingly, the petitioner is directed to be released on bail with effect from 8.12.2006 on his executing a bond for Rs. 20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M., Thiruvalla and subject to the following conditions:

1. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

3. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,
JUDGE.

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